

# HOUSE . . . . . No. 1654

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By Mr. Kujawski of Webster, petition of Paul Kujawski for legislation to regulate sub-bidders on public construction contracts for minority and women business enterprises. State Administration and Regulatory Oversight.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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AN ACT TO REQUIRE FILED SUB-BIDDERS TO PARTICIPATE IN THE REQUIREMENTS GOVERNING RESERVATION OF A PORTION OF THE WORK ON PUBLIC CONSTRUCTION CONTRACTS FOR MINORITY AND WOMEN BUSINESS ENTERPRISES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1     SECTION 1. The first paragraph of subsection (1) of section  
2     forty-four F of chapter one hundred and forty-nine of the General  
3     Laws is amended by inserting the following sentence immediately  
4     after the second sentence thereof:— “Each section of the specifi-  
5     cations shall contain a requirement that work there under shall be  
6     performed by minority and women business enterprises in the  
7     same proportion as is required for the work of the general con-  
8     tractor, provided, however, that the awarding authority, subject to  
9     the approval of the deputy commissioner, upon finding that such  
10    requirement would be impractical by reason of conditions peculiar  
11    to the sub trade involved or to the locality in which the contract is  
12    to be performed, may exempt an individual sub-trade from such  
13    requirement. In this case the amount waived shall be deducted  
14    from the overall project requirement.

1     SECTION 2. This amendment shall apply to any contract  
2     awarded pursuant to an invitation for bids issued subsequent to its  
3     effective date.